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REGION: GPS monitoring of sex offenders is useful, but limited, experts say

'It can't tell you what they're doing'

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By SARAH GORDON - sgordon@nctimes.com | Posted: March 18, 2010 7:30 pm | (9) Comments | [Print](#)

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California voters in 2006 overwhelmingly approved Jessica's Law, which mandated that the state's sex offenders be monitored for life with a GPS unit.

With a GPS, or Global Positioning System, unit strapped to every sex offender's ankle, police would be able to look at a computer and see exactly where these potentially dangerous individuals were at all times.

But more than three years after the law's passage, only a fraction of the state's registered sex offenders wear a GPS unit, which uses satellites to pinpoint a person's location. In San Diego County, only those on parole and a handful of high-risk probationers have them.

John Albert Gardner III, the registered sex offender who is accused of killing 17-year-old Chelsea King and is a suspect in the death of 14-year-old Amber Dubois, wore a GPS ankle bracelet for the last year of his parole, from September 2007 to September 2008, California Department of Corrections records show.

He served five years in prison for a 2000 assault on a 13-year-old girl in Rancho Bernardo.

It's unknown how the GPS influenced his behavior during that period, or how it enhanced his supervision, though records show his parole agent warned him four times he was letting the unit's battery get too low.

Probation and parole officials say GPS is a useful tool, but it's not a guaranteed deterrent for sex offenders.

"GPS can tell you where someone has been and where they are, but it can't tell you what they're doing," California Department of Corrections and Rehabilitation spokesman Gordon Hinkle said.

Most experts agree a GPS device is best used as part of a larger treatment and tracking plan. Some worry that overemphasizing the role of the GPS unit creates a false public belief that a complex problem can be solved with a piece of technology.

"We're concerned about using GPS to the exclusion of everything else; we're concerned about saying, 'GPS is the answer,'" said Jack Wallace, a spokesman for the California Sex Offender Management Board, which advises the government and Legislature on sex offender policy.

How it's used

In San Diego County, all registered sex offenders who are on parole wear a GPS ankle bracelet. At last count in January, parole officers statewide supervised 6,988 parolees with GPS, Hinkle said.

The offenders are monitored at two levels, based on the risks they pose.

Parole agents monitor 2,192 of the offenders "actively," following a parolee's whereabouts in real time on a computer map several times throughout the day while also scrutinizing their tracks, Hinkle said.

Some 4,796 parolees deemed a lower risk are monitored "passively," with agents checking them by computer a couple of times a day, he said.

Each GPS unit costs about \$1,500, or about \$10.5 million for the state's nearly 7,000 units, and \$6 a day after that, or about \$15.3 million for annual monitoring cost, Hinkle said.

The GPS computer tracking software can be programmed with prohibited zones according to the terms of each offender's parole. Agents can receive alerts if a parolee enters a prohibited area, such as a victim's neighborhood. That kind of movement would cause a parole agent to call local police and immediately check on the sex offender, Hinkle said.

Each parole agent gets a daily report letting him know whether a parolee is keeping his GPS unit charged.

Letting a GPS unit go dead or removing it is a serious violation, which probably would prompt a parole revocation hearing, Hinkle said.

Gardner let unit run low

But letting a battery get low, as Gardner did four times, doesn't kill the GPS or prevent monitoring. That violation would usually prompt a warning, as it did in Gardner's case, Hinkle said.

Gardner's parole terms banned him from contact with people under 18. His GPS tracking would not show whether he was complying with that, or similar orders.

The San Diego County Probation Department supervises 484 people on probation for a sex crime, officials said. Of those, 15 deemed at high risk of reoffending violently are equipped with one of the department's 20 GPS units, which were purchased in 2005 through a grant, department spokesman Derryl Acosta said.

Soon, 20 more high-risk sex offenders will get GPS units through a federal stimulus grant, Chief Probation Officer Mack Jenkins said.

Jenkins said one of the benefits of GPS monitoring is it provides information about where sex offenders spend their days. With that knowledge, probation officers can conduct better interviews, test a probationer's truthfulness and make surprise visits.

"It's definitely a useful tool, but we keep it in the context of being just that," Jenkins said.

Lifetime monitoring unlikely

Jessica's Law author Sen. George Runner, R-Antelope Valley, told the state's Sex Offender Management Board in 2007 that the lifetime GPS monitoring provision was intended to apply to people paroled after the law passed, with local police taking over the responsibility for buying and monitoring the technology, according to a press release from Runner's office.

However, virtually no local police force in California monitors its registered sex offenders with GPS once they are released from parole, according to a January report from the California Sex Offender Management Board.

Wallace, the body's spokesman, said cost is one hurdle to local governments taking over the monitoring.

Also, he said, Jessica's Law does not provide any penalties for sex offenders who won't comply with the GPS requirement after they leave parole or probation.

"There's nothing in the law that says if I cut that GPS off and hand it back to you that there's a penalty attached, nothing that says there's a penalty for, say, not charging it," Wallace said.

Runner has said one of the main reasons for using GPS for sex offenders is the technology's deterrent effect. Because its use is relatively new, with California leading the country in the number of sex offenders monitored by GPS, reliable studies about its deterrent effects are few, Wallace said.

However, a few good studies indicate that sex offenders on GPS are indeed less likely to reoffend than those who aren't, he said.

Wallace noted that even if all known sex offenders were on GPS, unidentified and nonpredatory sex offenders would still find victims.

About 85 percent of sex crimes in the U.S. each year are committed by someone who is not a registered sex offender at the time, he said.

Because GPS monitoring is expensive, and most effective when used with other monitoring and treatment, the Sex Offender Management Board's recent report recommends it for some, but not all offenders, depending on their risk.

"What is going to provide the best community safety? Is it having some portion of your police force looking at tracks of a sex offender who maybe hasn't committed a sex offense for 30 years, or is it having those police on the streets?" Wallace said.

Call staff writer Sarah Gordon at 760-740-3517.

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